



"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re	Agapiou et al.	§	Before the Examiner
APPLICATION of:		§	Di Verdi, M
		§	
		§	
SERIAL NO.:	09/113,216	§	Group Art Unit: 1755
		§	
FILED:	July 10, 1998	§	Attorney Docket No. 1998U004.US
		§	
FOR:	A Catalyst Composition and	§	Houston, Texas
	Method for its Preparation and Use	§	
	in a Polymerization Process		

DATE: January 26, 2001

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE UNDER 37 CFR 1.111

Sir:

This is in response to the United States Patent and Trademark final office action mailed September 20, 2000 (Paper No. 8).

REMARKS

Reconsideration of the above-identified application in view of the remarks following is respectfully requested.

Claims 1, 4-10, 13-20 and 23-120 are pending.

Claims 40-120 have been withdrawn in response to a restriction requirement.

Claims 1, 4-10, 13-20 and 23-39 are in this case.

Claims 1, 4-10, 13-20 and 23-39 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Examiner maintains that the term "metallocene-type" renders the claims indefinite.

This rejection is respectfully traversed. It is respectfully submitted that the term in question is art accepted and has an understanding that would not render the claims indefinite. One of ordinary skill in the art at the time of filing the subject application